

Commission Powers and Duties

City of Davis

Section 40.23.050 Powers and duties.

The historical resources management commission shall have the following powers and duties under this article:

- a. Act in an advisory capacity to the city council in all matters pertaining to historical resources/districts;
- b. Maintain a local inventory of historical resources/districts within the city; publicize and update periodically the inventory;
- c. Recommend the designation of historical resources/districts, as hereinafter provided;
- d. Recommend standards to be adopted by the city council, to be used by the commission in the review of applications for alteration permits;
- e. Hear and render judgment on applications for alteration permits, as hereinafter provided; approve or deny issuance of alteration permits;
- f. Investigate and report to the city council on the use of various federal, state, local, or private funding sources and mechanisms available to promote historical preservation in the city;
- g. Review and comment on the decisions and documents (including environmental assessments, environmental impact reports, and environmental impact statements) of other public agencies when such decisions or documents may affect historical resources/districts or potential historical resources/districts in the city;
- h. Cooperate with local, county, state, and federal governments in the pursuit of the objectives of historic preservation and request and receive any appropriate information from any city departments or commissions;
- i. Participate in, promote, and conduct public information, educational, and interpretive programs pertaining to historical resources/districts;
- j. Render advice and guidance upon the request of the property owner or occupant, on the restoration, alteration, decoration, landscaping, or maintenance of any historical resource, outstanding historical resource, or improvement located in a historic district;
- k. Provide for adequate public participation in local historic preservation programs, including the process of recommending properties for nomination to the National Register;
- l. Perform any other functions that may be designated by resolution or motion of the city council. (Ord. No. 1270, § 2 (part); Ord. No. 1784, § 1 (part).)

City of Eureka

157.03 Authority and Responsibilities of Historic Preservation Commission.

- A. In addition to the responsibilities conferred by other provisions of this chapter, the Historic Preservation Commission shall:
 1. Review applications to alter or demolish all or part of any structure which is located on a designated property under §§ 157.04 and 157.05 of this chapter.
 2. Adopt maximum times for its historic preservation review, which if exceeded, may be treated as causing automatic HPC approval or HPC disapproval.
- B. The HPC shall, to the extent it deems action appropriate, have the authority to:
 1. Negotiate with owners of properties having special characteristics for, and may recommend to the City Council the approval of, contracts to restrict the use of such property and to retain such characteristics.
 2. Establish and maintain a list of structures, other physical features, sites, and areas considered deserving of official recognition although not given regulatory protection. The purposes of the list shall be to recognize the merit of and encourage the protection, enhancement, perpetuation, and use of such structures, other physical features, sites, and area. For these purposes, the Commission may authorize such steps as it deems desirable, including but not limited to the issuance of certificates of recognition and the authorization of plaques.
 3. Carry out or assist studies and programs designed to identify and evaluate structures, other physical features, sites, and areas which are worthy of preservation.

4. Inspect and investigate structures, other physical features, sites, and areas which may be worthy of preservation.
5. Consider methods other than those described above for encouraging and achieving preservation of worthy structures, other physical features, sites, and areas, including exploring means of financing the restoration or maintenance thereof.
6. Make appropriate recommendations on the general subject of preservation to the Planning Commission, City Council, other public and private agencies and bodies, and the general public. (Ord. 607-C.S., passed 3-19-96)

City of Fresno

13-405. Duties and Powers of the Commission.

- a. The primary duties of the Commission shall be:
 1. The identification, designation and preservation of Historic Resources and Historic Districts owned by the city or located within the city limits; and
 2. The regulation of exterior alterations visible from a public right-of-way including demolition, relocation and new construction, and interior alterations which would affect the significance of Historic Resources or Historic Districts.
- b. The Commission shall have the following additional duties and powers:
 1. Conduct studies and evaluations of applications requesting the designation of Historic Districts, make determinations and recommendations as appropriate for consideration of such applications in order to effectuate the purposes of this article.
 2. Adopt specific guidelines for the designation of Historic Resources, Historic Districts and Heritage Properties as it deems necessary to effectuate the purposes of this article.
 3. Maintain a current listing and description of designated Historic Resources, Historic Districts and Heritage Properties and transmit copies and update of such listings to all appropriate city agencies and departments as determined by the Secretary to the Commission.
 4. Develop and recommend the adoption of an Historic Preservation Element for the General Plan of the City of Fresno in accordance with the requirements of the Certified Local Government Program.
 5. Participate in environmental review procedures called for under this article or under the California Environmental Quality Act (CEQA) or under the National Environmental Protection Act (NEPA) by providing review and comments on permit actions affecting designated Historic Resources, Historic Districts and Heritage Properties as the Commission deems appropriate.
 6. Review and comment upon the conduct of land use, housing, redevelopment, municipal improvement and other types of planning and programs undertaken by any agency or department of the city, county or state as they relate to designated Historic Resources, Historic Districts and Heritage Properties as the Commission deems appropriate.
 7. Establish criteria and conduct or cause to be conducted historical resource surveys of properties within the city limits in accordance with state survey standards and procedures; submit completed surveys to the Council for official adoption; and submit adopted surveys to the Office of Historic Preservation for integration into the Historic Property Data File for Fresno County maintained by that office.
 8. Recommend internal procedures to facilitate the use of such adopted historical resource surveys in planning and development processes by all relevant city agencies and departments in accordance with Certified Local Government Program requirements.
 9. Publicize, maintain and periodically update such historical resource surveys in accordance with state survey standards and procedures, including those surveys adopted prior to the award of Certified Local Government status and surveys of new areas annexed or incorporated by the city.
 10. Adopt procedural rules for the systematic review of such historical resource surveys to determine if designation proceedings should be initiated on appropriate sites. Provide for the removal of sites not found qualified for designation from the survey and from the Historic Property Data File for Fresno County maintained by the State Office of Historic Preservation if included therein.

11. Review and make recommendations on nominations for inclusion in the California Register of Historical Resources and the National Register of Historic Places for local historic resources or districts to the chief elected local official for transmission to the State Office of Historic Preservation in accordance with procedures established by the Certified Local Government Program.
12. Review and make recommendations on any proceedings under Section 106 of the National Historic Preservation Act pertaining to properties within the city limits and establish programmatic agreements with the State Office of Historic Preservation as the Commission deems appropriate.
13. Review and make recommendations on historic preservation certification applications for federal tax incentives.
14. Develop and recommend the adoption of historic preservation incentives including but not limited to conditional use permits allowing uses not otherwise permitted by the underlying zoning, Mills Act Contracts, and other programs utilized by other Certified Local Governments.
15. Review and make recommendations on any applications to participate in local historic preservation incentive programs established in order to effectuate the purposes of this article.
16. Prepare an annual report on the activities of the Commission to the State Office of Historic Preservation at the end of each calendar year in accordance with procedures established by the Certified Local Government Program.
17. Ensure that each commissioner attends at least one informational or educational meeting, seminar, workshop or conference per year in accordance with the requirements of the Certified Local Government Program.
18. Perform any other functions consistent with the purposes herein or that may be directed by the Council from time to time.
19. Adopt, promulgate, amend and rescind, from time to time, such rules, guidelines and regulations as the Commission may deem necessary to effectuate the purposes of this article.
20. Provide for a suitable sign, plaque or other marker at public or private expense, on or near the Historic Resource or District (LHD or NRD), indicating that the Resource or District (LHD or NRD) has been so designated. The sign, plaque or other marker shall contain information and data deemed appropriate by the Commission and its placement shall be at the discretion of the owner.
21. Meet not less than once a month at meetings held pursuant to public notice and open to the public.
22. Keep minutes and records of all meetings and proceedings including voting records, attendance, resolutions, findings, determinations and decisions as a matter of public record.
23. Render advice and guidance, upon the request of a property owner or tenant on the financial and physical aspects of the restoration, alteration, rehabilitation, landscaping or maintenance of any Historic Resource, any Contributor to any Historic District (LHD or NRD) or any Heritage Property.
24. Investigate and report to the Council on the use of various federal, state, local or private funding sources and mechanisms available to promote historic resource preservation in the city.
25. Participate in, promote and conduct public information, educational and interpretive programs pertaining to Historic Resources and provide for public participation in all aspects of the city's historic preservation programs.

City of Glendale

2.76.100 Powers and duties generally.

The historic preservation commission shall have the power and it shall be its duty to perform the following acts:

- A. To consider and recommend to the city council additions to and deletions from the register of historic resources;

- B. To keep current and publish a register of historic resources;
- C. To make recommendations to the planning commission, and the city council on amendments to the historic preservation element of the city general plan;
- D. To grant or deny applications for permits for demolition, or major alterations of historic resources;
- E. To grant or deny appeals from decisions of the director of planning and the permit services administrator as specified in Section 15.20.030 of this code;
- F. To encourage public understanding of and involvement in the unique historical, architectural and environmental heritage of the city through educational and interpretative programs;
- G. To explore means for the protection, retention and use of any historic resource, historic district, or potential historic resource or district;
- H. To make recommendations to the city council on applications for properties to be included in the property tax incentives program which may be subject to historic property contracts as set forth in Section 15.20.070 of this code;
- I. To encourage private efforts to acquire property and raise funding on behalf of historic preservation; however, the commission is specifically denied the power to acquire any property or interest therein for or on behalf of itself or the city;
- J. To recommend and encourage the protection, enhancement, appreciation and use of structures of historical, cultural, architectural, community or aesthetic value which have not been designated as historic resources but are deserving of recognition;
- K. To encourage the cooperation between public and private historic preservation groups;
- L. To advise city council and city boards and commissions as necessary on historic preservation issues;
- M. To render decisions on design review applications affecting designated historic resources pursuant to Section 30.16.820;
- N. To perform any other functions that may be designated by resolution or motion of the city council. (Ord. 5110 § 5, 1996: Ord. 4986 § 1, 1992: prior code § 3-139)

Town of Los Gatos

29.80.220. Powers and duties of Planning Commission.

The Planning Commission:

1. Shall recommend to the Town Council, after public hearing, concerning designation of landmarks and historic districts, as provided in section 29.80.245.
2. May establish and maintain a list of structures and other landmarks deserving official recognition although not designated as landmarks or historic districts, and take appropriate measures for recognition.
3. Shall hear and determine architecture and site approval applications for demolition a designated landmark sites and principal buildings in historic districts, as provided in sections 29.80.270 through 29.80.290.
4. May take steps to encourage or bring about preservation of structures or other features where the Planning Commission has decided to suspend action on a permit application, as provided in section 29.80.285.
5. Shall seek and consider a report from the Historic Preservation Committee when undertaking the powers and duties set forth in subsections (1) and (3) above, and shall consult with or request assistance from the Historic Preservation Committee when undertaking the powers and duties set forth in subsections (2) and (4) above. (Ord. No. 1316, 4.86.020, 6-7-76; Ord. No. 1375, 11-21-77; Ord. No. 1831, I, 7-16-90; Ord. No. 2041, IV, 2-2-98)

Sec. 29.80.227. Powers and duties of the Historic Preservation Committee.

The Historic Preservation Committee shall:

1. Regularly review and make recommendations to the Planning Commission concerning the determination of all matters pertaining to historic preservation which comes before the Planning Commission.
2. Review and make recommendations to the Planning Director concerning the determination of a minor residential development permit for properties with a LHP overlay zone or structures which were built prior to 1941.

3. Determine and issue approval for minor residential and commercial exterior alterations not covered under the architecture and site approval process or the minor residential development permit, for designated properties with a LHP overlay zone. Minor exterior alterations consist of:
 - a. any new construction (excluding accessory structures less than four hundred fifty (450) square feet in area not used for parking or accessory living quarters and not visible from the street);
 - b. any new addition; and
 - c. Exterior alterations which require a building permit. This includes but is not limited to: porches, awnings, bay windows and change in siding.
4. Upon request of the Planning Director, review pending or proposed building permits dealing with historic structures when it is questionable that the work proposed meets the guidelines for pre-1941 structures.
5. May, on request of the property owner, advise with respect to any proposed work requiring or not requiring a Town permit on any historic structure, a designated landmark site or in a designated historic district. Examples of the work referred to are additions, demolitions, painting and repainting of exterior surfaces, roofing, fencing, landscaping, glazing, and installation of lighting fixtures. In advising, the Historic Preservation Committee shall be guided by the purposes and standards specified in this division and other applicable ordinances and/or development standards. This subsection does not impose regulations or controls on any property. (Ord. No. 1915, IV, 10-19-92; Ord. No. 2041, IV, 2-2-98)

City of Pasadena

2.75.110 Purpose and functions.

- A. The purpose of the commission is to recognize, protect and promote the retention and use of landmarks and landmark districts in the city and to promote awareness of Pasadena's unique heritage. The city council declares that the recognition, preservation, protection and use of cultural resources are required in the interest of the health, prosperity, social and cultural enrichment, and general welfare of the people. The purpose of this chapter is to:
 1. Safeguard the heritage of the city by preserving improvements and natural features which reflect elements of the city's cultural history;
 2. Encourage public understanding and involvement in the unique architectural and environmental heritage of the city through educational programs;
 3. Strengthen civic pride in the beauty and notable accomplishments of the past, to promote their continued use today and encourage excellence in the building of the future;
 4. Protect and enhance the city's attractions to residents seeking a pleasant way of life, tourists and visitors, and thereby, to support and stimulate business and industry;
 5. Enhance the visual and aesthetic character, diversity and interest of the city;
 6. Promote the private and public use and preservation of historic districts and structures for the education, appreciation and general welfare of the people;
 7. Stabilize and improve property values;
 8. Strengthen the economy of the city;
 9. Take whatever steps are reasonable and necessary to safeguard the property rights of the owners whose property is declared to be a landmark or is located in an area designated as a landmark district.
- B. The commission shall have the following powers and duties in addition to those otherwise provided in this chapter:
 1. To conduct a continuing survey of all cultural resources in the city which the commission, on the basis of information available or presented to it, has reason to believe may be eligible for designation as landmarks or landmark districts or structures of merit;
 2. To recommend to the council that certain areas, places, buildings, structures, natural features, works of art or similar objects having a significant historical, cultural, architectural, archeological, community or aesthetic value as part of the heritage of the city be designated as a landmark, or that the area be considered as a potential landmark district as provided in the zoning plan and code;

3. To keep current and publish a register of landmarks, landmark districts and structures of merit;
 4. To encourage public understanding of and involvement in the unique architectural and environmental heritage of this city through educational and interpretative programs. Such programs may include lectures, tours, walks, reports or publications, films, open houses and special events;
 5. To explore means for the protection, retention and use of any designated or potential landmark, including but not limited to, appropriate legislation and financing, such as encouraging independent funding organizations or private local, state or federal assistance;
 6. To submit annually a proposed budget to the city manager covering personal services, supplies and equipment necessary for the performance of its duties;
 7. To work closely with the planning commission, in order to assure that environmental changes will be orderly and will not damage the cultural integrity of the city;
 8. To encourage private efforts to acquire property and raise money on behalf of cultural preservation; however, the commission is specifically denied the power to acquire any property or interest therein for or on behalf of itself or the city;
 9. To recommend and encourage the protection, enhancement, appreciation and use of structures of merit so as to emphasize their importance in the lifestyle of Pasadena. The commission may take such steps as it deems desirable to recognize these structures including, but not limited to, listing, certificates, letters or plaques;
 10. To render advice and guidance on any structure as time permits and upon request of the property owner. By way of example, but not by way of limitation, such advice might relate to painting, colors, materials, fencing, landscaping, lighting fixtures or restoration. This advice shall not be construed to impose any controls, but shall be offered in a spirit of friendly help;
 11. To participate in revisions of the historic and cultural resources element of the general plan of the city;
 12. To encourage cooperation between cultural heritage groups, public and private, and to encourage the development of such groups in the county and state;
 13. To comment on all proposed rezoning, subdivisions (except condominiums), general plan amendments, redevelopment projects, significant public improvements and such other land use proposals or projects submitted by the director of planning, housing and community development as may require an environmental impact report under the provisions of the California Environmental Quality Act;
 14. To make recommendations regarding proposed landmark or landmark districts within the area covered by a preliminary redevelopment plan prior to the approval of the plan by the planning commission as formulated by the community development commission and the planning commission;
 15. To advise the design commission on alterations to publicly owned buildings of historic significance as required under subsections (B)(1)(a) and (B)(1)(b) of this section;
 16. To review applications for certificates of appropriateness to demolish structures meeting the criteria set forth in this chapter;
 17. To establish and maintain a written historic sign inventory.
- C. The commission shall carry out design review activities and prepare and implement conservation plans for LD landmark overlay districts, as provided in Chapter 17.52 of this code, and otherwise assist in the preservation of the character of such districts. In furtherance thereof the commission shall:
1. Conduct design review and issue certificates of appropriateness;
 2. Approve and administer conservation plans;
 3. Prepare amendments to adopted conservation plans from time to time as deemed necessary;
 4. Adopt regulations and procedures deemed necessary to carry out the policies of adopted conservation plans;
 5. Adopt specific design policies and guidelines for individual landmark districts as deemed necessary to implement adopted conservation plans and facilitate the review of public

- and private projects. In the absence of such policies and guidelines or relevant design standards and criteria in an adopted conservation plan, the commission shall evaluate proposed projects according to the current edition of the Secretary's Standards;
6. Within the Bungalow Heaven landmark district, the commission shall conduct its review of proposed improvements in McDonald Park, prior to consideration of any such improvements by the parks and recreation commission and the city council.
- D. During hearings before the commission regarding a specific landmark district issue, a representative of the neighborhood association of the applicable landmark district (a "district representative") shall participate with equal voting rights.
1. Such representative(s) shall be selected as follows. The neighborhood association shall nominate a representative who resides and owns property in such district. If no neighborhood association exists within the landmark district, any resident property owner of such district may apply. If more than 1 neighborhood association exists within the landmark district, such associations shall jointly nominate the member; and if the associations cannot agree, each association shall nominate 1 person and the mayor shall select the nominee.
 2. The appointment of the district representatives shall be subject to ratification by the council. The representatives may be removed by the council at its pleasure.
 3. If a district representative ceases to reside in such district prior to the expiration of his/her term, he/she may complete the term only upon approval by the council pursuant to Section 2.45.020 of this code. The district representatives shall be subject to the provisions of Section 2.75.030, in the same manner as other commission members.
 4. Each district representative shall be entitled to vote only on matters affecting his/her district, and not on commission rules and regulations or other matters of general interest. In the event that a matter affects more than one district, all district members whose districts are thereby affected may vote on such matter. (Ord. 6820 § 45 (part), 2000; Ord. 6610 §§ 2A, 2B, 1994; Ord. 6560 § 2, 1993; Ord. 6505 § 2, 1992; Ord. 6229 § 2 (part), 1987)

City of Santa Monica

9.36.060 Powers.

In addition to any other powers set forth in this Chapter, the Landmarks Commission shall have the power to:

- a. Designate Structures of Merit, Landmarks and Landmark Parcels, and to make any preliminary or supplemental designations, determinations or decisions, as additions thereto, in order to effectuate the purposes of this Chapter.
- b. Conduct studies and evaluations of applications requesting the designation of a Historic District, make determinations and recommendations as such appropriateness for consideration of such applications, and make any preliminary or supplemental designations, determinations or decisions, as additions thereto, in order to effectuate the purposes of this Chapter.
- c. Regulate and control the alteration, restoration, construction, removal, relocation or demolition, in whole or in part, of or to a Structure of Merit, a Landmark or Landmark Parcel, or of or to a building or structure within a Historic District, and make any preliminary or supplemental designations, determinations, decisions, as additions thereto, in order to effectuate the purposes of this Chapter.
- d. Adopt, promulgate, amend, and rescind, from time to time, such rules and regulations as it may deem necessary to effectuate the purposes of this Chapter.
- e. Maintain a current listing and description of designated Structures of Merit, Landmarks and Historic Districts.
- f. Provide for a suitable sign, plaque or other marker, at public or private expense, on or near a Landmark or Historic District, indicating that the Landmark or Historic District has been so designated. The sign, plaque or other marker shall contain information and data deemed appropriate by the Commission, and the placement of such shall be mandatory in the case of a Landmark held open to the public use, and shall be at the discretion of the owner of the Landmark in the case of a Landmark not held open to the public use.

- g. Participate in the environmental review procedures called for under this Chapter or under the California Environmental Quality Act by providing such comments as the Commission deems appropriate. (Prior code § 9605; added by Ord. No. 1028CCS, adopted 3/24/76; amended by Ord. No. 1590CCS § 1, adopted 7/23/91)